

EPA REGION III
REC NEWSLETTER
DECEMBER, 2002

COMMANDER NAVY REGION
MID ATLANTIC REGION



Happy
Holidays

Season's
Greetings

*Working
for
Tomorrow's
Environment
Today*

We have made every effort to ensure that the information provided is accurate and that all significant Legislative, Regulatory, Federal, EPA, news and information have been included in the REC update. If you have an important issue or information that you would like to be included in our monthly update or believe that information we have provided is incorrect, please contact us at 757-445-8899 or via email DODRECREGION3@cmr.navy.mil.

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SPOTLIGHT ON

NAVAL MOBILE CONSTRUCTION BATTALION 23ⁱ

The leadership at Naval Amphibious Base Little Creek is not only dedicated to protecting sailors, Marines and civilians who work on the base, but in protecting the environment as well.

Recently, 25 Navy Seabee reservists with the 2nd Naval Construction Brigade came to the base's rescue by installing sand fencing along the dunes of Little Creek. The purpose behind the installation of the fencing was to help restore and protect the sand dunes from erosion caused by natural elements and training that goes on near these dunes.

Naval Mobile Construction Battalion 23's Detachment 0123, based at Little Creek, volunteered hours of manpower into the installation of slatted wood sand fences throughout the 318 acres of vegetated dunes to help trap the sand. Signs reading "Dune Management Area" were also installed at visible locations, making it clear to trainers and pedestrians the areas of concern.



For the last three months, Reserve Seabee Detachment 0123 has been sending work crews to the amphibious assault beach to install the sand dune fencing. More

than 3,500 linear feet of wood fence four feet tall was implemented, replacing previous fencing that was estimated to be more than 15 years old. The old fencing had become buried by sand or was completely deteriorated over the years due to natural exposure.



"We're trying to protect the beaches from overuse and maintain their function in helping to protect the rest of the base," said Lisa Billow, biological science technician for Navy Public Works Center at Little Creek. "It's our natural barrier against the sea to prevent flooding. I really don't know how we would have gotten it done if the Seabees didn't come out. We don't have the money to contract this out."

The Seabees of Detachment 0123 have made further plans to continue helping Little Creek base preserve its dunes and beaches. Their efforts have helped the base not only preserve the natural wildlife and habitat along the beaches of Little Creek, but also improve the safety of Little Creek residents by helping build up the base's natural defense against flooding.

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GENERAL INTEREST

EPA Announces Pilot Program to Allow Public Access to Environmental Recordsⁱⁱ

The Environmental Protection Agency is preparing to test an online database that allows the public and industry direct access to the environmental compliance records of more than 80,000 regulated facilities. EPA officials said the new system, called Enforcement and Compliance History Online (ECHO) became operational on the agency Web site 20 NOV 02 for a 60-day pilot period. "We really want to hear what the public and the regulated industries think about it," said John Peter Suarez, assistant EPA administrator for enforcement and compliance assurance. "We also think [the 60-day period] will give us an opportunity to conduct further data quality review."

The new online system covers facilities regulated under the Clean Air Act, the Clean Water Act, and the Resource Conservation and Recovery Act. Users will be able to obtain the names and addresses of regulated facilities, permitting information, inspection history covering the past two years, and compliance status of violations occurring during the past two years. EPA eventually plans to extend the inspection and compliance histories to five-year periods. The Web site is available at

<http://www.epa.gov/echo>. [Table of Contents](#)

Environmental And Economic Sustainability Softwareⁱⁱⁱ

The National Institute of Standards and Technology (NIST) has released "Building for Environmental and Economic Sustainability (BEES)" software version 3.0. The software allows a user to compare environmental and economic factors for various generic products that perform similar functions. For example, the software could be used to assess environmental and economic impacts associated with using various types of tile or composite shingles of various colors. Twelve environmental impacts are now considered in the environmental performance score: global warming, acidification, eutrophication, fossil fuel depletion, indoor air quality, habitat alteration, ozone depletion, water intake, criteria air pollutants, smog, ecological toxicity, and human health. The software was developed by the NIST Building and Fire Research Laboratory with support from the USEPA Environmentally Preferable Purchasing Program. The software may be downloaded at:

<http://www.bfrl.nist.gov/oae/software/bees.html>. [Table of Contents](#)

TRUE CRIME STORIES

Owner of Barrel-Cleaning Firm Gets Jail Time, Home Detention for Violations

The owner of an Ohio firm specializing in cleaning and conditioning industrial storage drums will spend a day in jail and be required to spend four months in home detention for Clean Water Act violations, a Department of Justice official said 25 NOV 02 (United States v. Korman , S.D. Ohio, No. CR-1-02-73, 21 NOV 02). Ronald A. Korman, owner of Barrel and Drum Service Inc., of Cincinnati, pleaded guilty in August to dumping "caustic wastewater" into the city's sewer system "without proper notification."

These kinds of discharges are regulated under the pretreatment provisions of the Clean Water Act, which govern wastewater sent to publicly owned treatment works before being released into the environment. Limits are set to ensure that wastewater does not interfere with or pass through the treatment facility.

For more information go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/26Nov02/22.doc.html> [Table of Contents](#)

Former Executive Gets 6-Year Term for Dumping Hazardous Waste

A former executive with a New Jersey electroplating company is sentenced to more than 6 years in prison for unlawfully dumping hazardous waste in the Meadowlands. James M. O'Brien pleaded guilty last year to charges that Meadowlands Plating and Finishing Co., of East Rutherford, N.J., unlawfully

stored corrosive hazardous waste and wastewater treatment sludge. The company also was charged with abandoning that hazardous waste material when the plant closed. For more information go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/12Nov02/20.doc.html> [Table of Contents](#)

Thousands of DoD Employees Each Waste \$65 A Year

Do you leave your computer on when you leave work? Did you ever consider the cost associated with this? Let's do the math. A typical computer monitor and CPU each require approximately 100 watts to operate (the same as two 100 watt incandescent light bulbs). Electricity costs approximately 5 cents per kilowatt-hour (If you're blessed and live in the South. Check your electrical bill for your cost at home). If we do a little math:

$$\frac{200\text{w} \mid 5\text{¢} \mid 1\text{kw}}{\mid \text{hr} \mid 1000 \text{ w}} = 1\text{¢}/\text{hr}$$

As you can see it costs a penny an hour to run your computer. Chicken feed, right? Wrong! If you're at work eight and a half hours each day this means that you are leaving your computer idle for fifteen and a half hours each weekday plus an additional 48 hours each weekend. That's 125.5 hours per week. So if we do a little more math:

$$\frac{125.5 \text{ hrs} \mid 52 \text{ wks} \mid 1\text{¢} \mid \$1}{\text{wk} \mid \text{yr} \mid \text{hr} \mid 100\text{¢}} = \$65.26/\text{year}$$

\$65 per year for each and every computer left on continuously. Moral of the story, **“Cut your computer off!”**

Feeling smug because you don't leave your computer on overnight? Not so fast my friend. Do you cut your monitor off when you cut the CPU off? Do you cut your monitor off when you are not actively using the computer? I'll leave the math to you.

GMK [Table of Contents](#)

FEDERAL NEWS

AIR

EPA Proposes to Downgrade Washington, D.C., Region Ozone Attainment Status

EPA proposes to downgrade from serious to severe the Washington, D.C., metropolitan area's status in meeting the air quality standard for ozone. The proposal follows a ruling in July by the U.S. Court of Appeals for the District of Columbia Circuit vacating an EPA decision to grant the region a five-year extension of its ozone-standard attainment status even though it missed a 1999 deadline to reach attainment. For more information, go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/14Nov02/15.doc.html>. [Table of Contents](#)

Action: EPA Releases Rule to Ease New Source Review Under Clean Air Act

On 22 NOV 02 EPA released final and proposed rules that relax compliance requirements for power plants and factories under the Clean Air Act's new source review provisions. While the new rules create a series of exemptions from requirements to install pollution-control equipment when a plant modernizes or expands, EPA says the rules will lead to lower emissions. The final rule would allow plantwide emission caps, a 10-year grace period for "clean units," changes in emissions baselines, and an exemption for pollution control projects. EPA Administrator Whitman says, "The steps we are taking

today recognize that some aspects of the [new source review] program have deterred companies from implementing projects that would increase energy efficiency and decrease air pollution." For more information go to: <https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/25Nov02/14.doc.html>

Counteraction: Nine States Announce Legal Challenge to New Source Review Rules

Attorneys general from nine Eastern states say they will file a legal challenge to EPA's new rules for new source review under the Clean Air Act once they are formally published. Asserting that the Bush administration is "endangering air quality by gutting a critical component" of the federal law, the group says the rules would worsen conditions in Northeastern and mid-Atlantic states "already struggling with dirty air caused in significant part by industrial pollution carried into the region on prevailing winds." The states participating in the planned challenge are Connecticut, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont. For more information go to: <https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/25Nov02/15.doc.html> [Table of Contents](#)

Plastic Parts and Products Surface Coating NESHAP

EPA published the proposed Plastic Parts and Products (PPP) Surface Coating NESHAP (72276 Federal Register / Vol. 67, No. 233 / 04 DEC 02). We have until 3 FEB 03 to submit comments. DoD's plan is to submit only one short comment. That comment would state that we have the same problems with the PPP as we do with the Miscellaneous Metal Parts and Products Surface Coating NESHAP. If you have additional comments on this proposal please contact Gary Koerber at (757) 444-5155 (DSN 564-5155) or Lisa Trembly at (805) 982-3567 (DSN 551-3567). [Table of Contents](#)

Environmentalists' Suits Expand To Target Individual Title V Permits

Environmental groups in key states are preparing to broaden their litigation against deficiencies in clean air operating permit programs for major sources by filing challenges against individual state-issued permits, even as they continue suits challenging EPA's approval of state programs. The new suits follow EPA rejections of a slew of administrative challenges that environmentalists had filed against state-approved permits that cleared the way for the activists to seek federal appeals court review.

The New York Public Interest Research Group (NYPIRG) filed the first legal challenges to three facility permits earlier this year after unsuccessfully petitioning EPA to revoke the permits. NYPIRG had filed previous deadline suits to force EPA to take action on its petitions and now is seeking to challenge the permits in court because EPA allegedly failed to require that New York correct all the deficiencies in the permits, according to the group.

Louisiana environmentalists are considering their legal challenge against a permit issued to a chemical facility that the group contends is illegally claiming emissions reduction credits. EPA denied the activists' petition of the state permit and one source says the next step would be to go to court and "try and embarrass" the agency into settling. According to an attorney involved in the case, if activists file suit it would be the first in Region VI over a Title V permit. "The percentage of these cases that wind up in court is a fraction. This would be the first time we've sued under [section] 307 after petitioning EPA to veto a permit and being denied," the attorney says. For more information go to: <https://www.denix.osd.mil/denix/DOD/News/Pubs/PAL/27Nov02/16.doc.html> [Table of Contents](#)

CERCLA

Disputes Over EPA Authority Delay Cleanups at Some Federal Facilities

Cleanups at a number of Department of Defense-owned contaminated sites were delayed in fiscal year 2002 because of disputes over what authority the Environmental Protection Agency has to enforce certain aspects of the cleanup, a House Democrat said 19 NOV 02.

Rep. John Dingell (D-Mich.) said the Defense Department has challenged EPA's authority to maintain and to enforce restrictions placed on land with remaining contamination, known as land-use controls. The challenges have led to the delay of cleanups at 35 sites, he said in a 19 NOV 02 letter to Marianne Horinko, EPA's assistant administrator for solid waste and emergency response, in which he sought information on the status of these cleanups.

In the letter, Dingell requested answers by 3 DEC 02 to a series of questions, including the status of cleanup at a list of sites and the current legal positions of the two agencies. Other questions Dingell requested Horinko address include whether the Defense Department considers land-use controls to be a remedy or part of a remedy that should be documented in the record of decision and EPA's position, whether the department has proceeded with any cleanups without the concurrence of EPA, why EPA has not exercised its authority under the superfund law to select the remedy at the listed sites, and why EPA has not referred the legal dispute to the Justice Department's Office of Legal Counsel. For more information go to <https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/20Nov02/17.doc.html>.

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New Perchlorate Policy Allows For Testing Even Without Standards

A newly issued Defense Department policy on perchlorate allows DOD components to test for the pollutant if there is a "reasonable basis to suspect both a potential presence of perchlorate and a pathway on their installations where it could threaten public health." The 13 NOV 02 policy signed by Mr. John Paul Woodley, DOD Assistant Deputy Under Secretary for Environment, makes no mention of perchlorate remediation or the current lack of formal drinking water standards for the chemical, which is a component of rocket fuel and is used in many tactical and strategic weapon systems. A draft interim guidance DOD circulated during the summer specifically prohibited actions beyond sampling in the absence of a regulatory driver. For more information go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DEA/03Dec02/09.doc.html> [Table of Contents](#)

Draft Guidance Issued for Contaminated Sediment Cleanup Methods

At many hazardous waste sites with contaminated sediments, the most appropriate cleanup strategy may be a combination of methods, such as dredging or capping, according to draft guidance from EPA. The agency's proposed guide to making cleanup decisions for water with contaminated sediments does not identify one specific method as being the most effective for any type of site. The draft guidance, instead, stresses that remediation decisions should be site-specific and should be based on a number of factors. The draft document, which was prepared by EPA's Office of Solid Waste and Emergency Response, is open for comment until 3 MAR 03. For more information go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/03Dec02/27.doc.html>. The draft document, Contaminated Sediment Remediation Guidance for Hazardous Waste Sites, is available at <http://www.epa.gov/superfund/resources/sediment/guidance.htm>. [Table of Contents](#)

EPCRA

Toxics Release Inventory Data Delivery System Offers Web Based Reporting

The TRI-DDS now offers web based reporting for the Department of Defense EPCRA Toxics Release Inventory reporting database for munitions management activities. The TRI-DDS is an electronic (CD- and server-based) system developed by the DoD EPCRA TRI Working Group and URS to support the Services in meeting EPCRA TRI reporting requirements. The TRI-DDS website is for Command and Installation personnel responsible for range operations or EPCRA reporting at facilities engaged in munitions activities on ranges. The website will offer users TRI-DDS Secure Sockets Layer (SSL) technology to encrypt and protect the data as it is transmitted to and from the web server. For information about the TRI-DDS website and requirements for using the system please go to www.dod-tridds.org/tri_web.cfm [Table of Contents](#)

NATURAL RESOURCES

Sikes Act Guidance Update

The Sikes Act authorizes the Secretary of Defense to develop cooperative plans for conservation and rehabilitation programs on military reservations and to establish outdoor recreation facilities. The Act also provides for the Secretaries of Agriculture and the Interior to develop cooperative plans for conservation and rehabilitation programs on public lands under their jurisdiction. The document "Sikes Act Guidance" has been posted on DENIX. To view this information, access this WWW address: http://www.denix.osd.mil/denix/Public/ES-programs/Conservation/Legacy/Sikes/Sikes_Act_Guidance_November5.doc

Protective Measures For The Right Whale Calving Season

COMLANTFLT issued RR 221503Z NOV 02 promulgating North Atlantic Right Whale (NRW) protective measures to be employed during the NRW calving season. Navy consulted with the National Marine Fisheries Service (NMFS) over impacts of its operations off the southeastern coast of the U.S. on NRW, other marine mammals, and turtles. As a result of these consultations, Navy agreed to employ year-round measures designed to protect whales and other endangered species when operating within an area of sea space identified as the consultation area. The consultation area encompasses sea space from Charleston, SC, southward to Sebastian Inlet, FL, and from the coast seaward to 80nm from shore. Per consultations with NMFS, Navy also adopted protective measures developed specifically to protect the NRW during its calving season (01 DEC - 31 MAR). During this period, NRW give birth to and nurse their calves in and around a federally designated critical habitat off the coast of Georgia and Florida. This critical habitat is the area from 30-15n to 31-15n extending from the coast out to 15nm and the area from 28-00n to 30-15n from the coast out to 5nm. All protective measures applying to the critical habitat also apply to the associated area of concern, which extends 5nm seaward of the designated critical habitat boundaries. For a full text copy of this message go to <http://www.cnрма.navy.mil/REC/NR.htm>. [Table of Contents](#)

RCRA

EPA Prepares To Unveil Contentious RCRA Completion Guidance

EPA officials are preparing to unveil a contentious guidance on determining completion at Resource Conservation & Recovery Act (RCRA) facilities, despite not yet having reached an agreement with industry over stringent groundwater standards that industry sources say will void any intended benefits from the guidance. The guidance, Completion of Corrective Action Facilities at RCRA Facilities, is designed to provide industry with a sense of when their corrective action responsibilities are complete under RCRA, which would facilitate the sale or transfer of RCRA facilities. The guidance would create two categories for determining completion at RCRA facilities: Corrective Action Complete and Corrective Action Complete with Controls. The first category is often referred to as a "walk away" situation where no further corrective action is necessary, while the second acknowledges that no further actions are necessary beyond monitoring. A third component allows for portions of a site to be sold while corrective action continues at other areas of the facility. Such efforts are needed, observers say, because the RCRA program fails to fully absolve parties from legal uncertainties about their cleanup obligations. As a result, some EPA and industry officials describe the program as a "Hotel California" program because "you can check out but you can never leave." For more information go to:

<https://www.denix.osd.mil/denix/DOD/News/Pubs/PAL/27Nov02/01.doc.html> [Table of Contents](#)

WATER

Backflow Prevention

The document "Cross-Connection Control And Backflow Prevention Program Implementation at Navy Shore Facilities" has been posted on DENIX. To view this information, access this WWW address:

<http://www.denix.osd.mil/denix/DOD/Working/SDWASSC/CCCBPPI1998.doc> [Table of Contents](#)

Consecutive Water System Guidance

Maintaining a safe potable water supply on Navy installations is essential to mission readiness in the Navy. Many Navy water systems purchase their water already treated from a primary supplier and therefore are classified as consecutive water systems. This guidance document recommends procedures and defines the efforts and responsibilities for maintaining the supply, distribution and monitoring of safe drinking (potable) water via a consecutive system at a Navy installation. To view this information, access this WWW address:

<http://www.denix.osd.mil/denix/DOD/Working/SDWASSC/CWSGDI1999.doc> [Table of Contents](#)

Rejection of Clinton-Era TMDL Rule Advances, Other Revisions Considered

A proposal to withdraw the regulation adopted in 2000 to revise the total maximum daily loads program has been sent to the White House Office of Management and Budget for review, an Environmental Protection Agency official said 22 NOV 02. The proposed rule would withdraw the TMDL revisions, designed to provide states greater flexibility in identifying impaired waters and developing plans to clean them up, that were published 13 JUL 00, but have never taken effect because of an action by Congress to block the rule until 1 OCT 01. EPA decided in October 2001 to postpone the effective date of the rule for an 18-month review with the idea that it would be repropoed. However, the regulation still has to be withdrawn formally because it was issued, an agency official explained. For more information go to: <https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/26Nov02/16.doc.html> .

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Effluent Limitation for Metal Products, Machinery Postponed to Next Year

The date for issuing a final rule establishing effluent limitation guidelines and pretreatment standards for facilities that make, rebuild, or maintain metal products and machinery will be pushed back to February. The agency was able to get an agreement with the Natural Resources Defense Council to push back the water pollution rule to 14 Feb 03, because of new data and inaccuracies in the old data, according to Geoffrey Grubbs, director of science and technology in the EPA Office of Water. Over a decade ago, EPA was ordered by a court to complete this year a rule on metal products and machinery, which could affect up to 55,000 facilities. NRDC and Public Citizen had sued the agency in 1989 for failing to review existing effluent limitation guidelines and failing to issue new ones. For more information go to: <https://www.denix.osd.mil/denix/DOD/News/Pubs/DER/27Nov02/13.doc.html> [Table of Contents](#)

STATE NEWS

DELAWARE

Drought Had Major Effect On Pollution And Wildlife^{iv}

The drought in the Delaware River area is over as far as ground water levels are concerned, but not by underground standards. Although the Delaware River is almost at normal levels, some area aquifers are still well below normal levels. The Delaware River Basin Commission has not declared the drought emergency over yet, but probably will soon. The drought did not just effect drinking water, but had a major effect on pollution and wildlife. [Table of Contents](#)

Two Successful Events Raise Funds And Educate About The Delaware Estuary^v

The fourth annual Experience the Estuary Celebration was held along the banks of the Schuylkill River in Philadelphia, on 19 SEP 02. More than 250 regional environmental leaders participated in the dinner, silent auction and awards ceremony. The event raised over \$25,000 to support the restoration efforts in the Delaware Estuary.

Three individual Coast Day celebrations were held in the Delaware Estuary, in Pennsylvania, New Jersey, and Delaware this fall. EPA Region 3 staff participated in the first ever for Pennsylvania Coast Day event on the Schuylkill River at the Fairmount Water Works. Sponsors included the Partnership for the Delaware Estuary, Philadelphia Water Department, and Pennsylvania Coastal Zone Management Program and Tom's of Maine. Several other Delaware Estuary Program partners were represented, including the Academy of Natural Sciences, the Philadelphia Zoo, and Pennsylvania Sea Grant. In combination, the three events enabled many to learn about their estuary and what they can do to make it a better place. [Table of Contents](#)

Report Highlights Estuary's Importance^{vi}

About 630,000 copies of the State of The Delaware Estuary Report were inserted into 16 local newspapers in the Delaware River Watershed during October. The 20-page, full-color piece educates residents on estuary topics including: water quality, fish and wildlife, fun facts and how to get involved to protect the estuary. Feedback from the publication has been very positive. In cooperation with the states, the Partnership for the Delaware Estuary will send copies of the report with personal letters to local government officials in counties and municipalities throughout the estuary, highlighting the estuary's importance in their communities. Delaware requested that an additional 11,000 copies be distributed through the Cape Gazette to residents of southern Delaware. In addition, 7th graders in the Delaware school districts will receive a copy in their science classes as part of this year's curriculum. [Table of Contents](#)

DISTRICT OF COLUMBIA

Naval District Washington Winning War Against Pollution^{vii}

A report issued by Naval District Washington (NDW) Environmental shows that efforts to rid the groundwater of pollutants have been paying off. NDW has been conducting monthly Aggressive Fluid/Vapor Recovery (AFVR) activities and well monitoring to remove free-phase petroleum, as well as dissolved-phase constituents related to petroleum release, from the groundwater since mid-2000. According to the data in the Quarterly Monitoring Report for the first quarter of 2002, there has been an overall reduction in the frequency of free petroleum product detected. For instance, free product was detected in 14 wells during March of 2000, but in only 12 wells in March 2002. In addition, the concentration of the free product has decreased. In one well, monitoring showed a 90 percent decrease in free product concentration between March 2000 and March 2001. Constructed in 1905, the building now undergoing AFVR treatment functioned as a forge shop until 1944. As such, it was supplied by several oil lines routed from a series of underground storage tanks (USTs) which also stored waste oil, gasoline and diesel fuel. Beginning in 1993, all of the USTs were abandoned. AFVR was selected as the remediation action because of its effectiveness in removing free product; its efficiency in recovering impacted groundwater and volatile, vapor-phase contaminants adsorbed to the soil; its relatively rapid source removal and hydraulic containment; a lack of requirements for the installation of subsurface piping and other permanent structures; and its availability on a mobile vacuum truck system, which allows for the easy modification of the extraction procedure. Through monthly AFVR applications, which are aided by the natural attenuation process, wells once contaminated by petroleum constituents now meet District of Columbia groundwater standards. [Table of Contents](#)

MARYLAND

Title V Permits

MDE adopted amendments to: (1) clarify the types of records required to be maintained from continuous monitoring systems; (2) revise the frequency for submitting monitoring reports from quarterly to twice a year; (3) correct an error in a citation of a federal regulation; and (4) clarify the records that the Department will consider for judicial review in cases involving judicial review of the final decision regarding a Part 70 permit. The revisions were required by the EPA in order for Maryland to regain control of their Title V permitting system. MDE held a hearing 11 SEP 02, and accepted comments through 11 SEP 02. The Department adopted the final regulations with an effective date of 11 NOV 02.

Universal Waste Rule

MDE has adopted its version of the Universal Waste Rule (UWR). The rule establishes a program for the collection and management of certain widely generated wastes, "universal wastes." The rule provides a conditional exemption from full RCRA Subtitle C regulation for these wastes. The Department adopted the regulation with an effective date of 01 NOV 02. [Table of Contents](#)

PENNSYLVANIA

Gov. Schweiker Lifts Drought Emergency In 16 Counties^{viii}

Gov. Mark Schweiker today (07 NOV 02) lifted the drought emergency for 16 counties, while continuing the drought emergency in Cumberland, Chester and Delaware counties. "We are thankful that October's rainfall was above normal in some areas of southeastern and south-central Pennsylvania," Gov. Schweiker said. "What we have to remember now is that this drought was years in the making, and

we still need to practice water conservation, especially in the three counties where the drought emergency has been extended.” Northampton, Lehigh, Berks, Bucks, Montgomery, Philadelphia, Lancaster and York counties have been upgraded to drought-warning status, which calls on residents to voluntarily conserve 10 percent to 15 percent of their daily water usage. Dauphin, Lebanon, Bedford, Fulton, Franklin and Adams counties been upgraded to drought-watch status, which calls on residents to voluntarily conserve 5 percent of their daily water use. Perry and Schuylkill counties have been upgraded to normal status. Because Cumberland, Chester and Delaware counties remain in drought-emergency status, residents there continue to be under mandatory water-use restrictions. Groundwater level remains a problem in these three counties and is the deciding factor in keeping them in drought-emergency status. [MORE](#). [Table of Contents](#)

Judge Says Pennsylvania Violated Air Act By Shelving Vehicle Plan

A federal judge has handed a victory to citizen groups seeking to enforce states' responsibilities to uphold federal clean air laws, ruling that Pennsylvania violated the Clean Air Act by shelving its own tough vehicle emissions inspection program without putting another in its place. The court rejected state arguments that the citizen suit was a violation of the 11th Amendment of the Constitution -- which generally gives states immunity from private citizen lawsuits in federal court -- ruling that the suit was exempt from 11th Amendment arguments because it was aimed at individual state officers who were violating federal law. For more information go to

<https://www.denix.osd.mil/denix/DOD/News/Pubs/CAR/07Nov02/all.html>. [Table of Contents](#)

VIRGINIA

Virginia To Reduce Emissions And Participate In Regional Allowance Trading Program^{ix}

Regional Administrator Donald S. Welsh signed approval of proposed Phase I of the Commonwealth of Virginia's NOx SIP Call rule as of 31 OCT 02 (with one exception). Under the NOx SIP Call, Virginia must eliminate 30,589 tons of nitrogen oxide (NOx), a reduction of approximately 15 percent from projected uncontrolled 2007 emission levels, and participate in a regional allowance trading program that will be administered by EPA. The exception concerns the rule's provision for banking of NOx allowances, which Virginia must revise, and conditionally approve. The NOx SIP Call requires 22 states and the District of Columbia to meet statewide nitrogen oxide emission budgets in order to reduce the amount of ground level ozone that is transported across the eastern United States. [Table of Contents](#)

MS4

DEQ adopted a general Virginia Pollutant Discharge Elimination System (VPDES) permit to control discharges from small municipal separate storm sewer systems (small MS4s). Small MS4s include systems owned or operated by municipalities, federal facilities, state facilities and universities. The term does not include separate storm sewers in very discrete areas such as individual buildings. This rulemaking was prompted by USEPA's Phase 2 storm water regulations and will allow small MS4s to apply for permit coverage by the regulatory deadline of 10 MAR 03. The rule was published with an effective date of 09 DEC 02. For further information contact Will Bullard at (757) 444-5153. [Table of Contents](#)

Stormwater Discharges from Construction Sites

DEQ has adopted an amendment to the Virginia Pollutant Discharge Elimination System (VPDES) General Permit Regulation for Storm water Discharges from Construction Sites. The amendment will allow small construction activities (construction activity disturbing between one and five acres of land) to be covered under the general permit. For further information contact Will Bullard at (757) 444-5153. [Table of Contents](#)

WEST VIRGINIA

Defense-State Memorandum of Agreement Semi-Annual Progress Report

The document "DSMOA West Virginia Semi-Annual Report (01 JAN02 – 30 SEP 02)" has been posted on DENIX. To view this information, access this WWW address:

www.denix.osd.mil/denix/State/DSMOA/data/wv-s2.02.html [Table of Contents](#)

CHESAPEAKE BAY PROGRAM

Administrator Whitman Announces Benefits Of Clear Skies Initiative On Chesapeake Bay^x

EPA Administrator Christie Whitman spoke on the benefits of the administration's Clear Skies Initiative program to the Chesapeake Bay, at the Chesapeake Executive Council meeting. The Initiative seeks to enhance current Clean Air Act (CAA) regulations through greater reductions in sulfur, nitrogen and mercury emissions from electric power generating facilities. The Chesapeake Bay Program, in collaboration with EPA, has completed an initial modeling study quantifying the benefits of nitrogen emission reductions on loads to the Bay from the proposed Clear Skies Initiative. Scenarios compared existing CAA nitrogen oxide emissions controls to the more-stringent controls in the Clear Skies Initiative. Models predict that with implementation of Clear Skies by 2010, nitrogen emission reductions would lower nitrogen deposition to the Bay's watershed by about 133 million pounds per year from current atmospheric inputs. This is roughly 36 million pounds per year more than what is projected under the existing CAA by 2010. Assuming today's land cover conditions, the Clear Skies reduction in deposition would lower nitrogen loads delivered to the Bay by approximately 23 million pounds per year from today's levels or 8 million pounds more than anticipated to be achieved under existing CAA by 2010. [Table of Contents](#)

COMPLIANCE CALENDAR

For your reading entertainment, provided below is a partial listing of federal compliance due dates.

Due Date	Media	Rule
1-Jan-03	CAA	Enhanced inspection/maintenance program areas subject to the provisions of 40 CFR 51.351 must demonstrate the same or lower VOC and NOx emission levels as the model program described in that paragraph and demonstrate that substituted emission reductions are equal to the benefits of the low enhanced performance standard. [CAA : 40 CFR 51.351(h)(11)] (61 FR 39036 ;25 JUL 96)
1-Jan-03	CAA	Unless otherwise authorized, each owner or operator of an existing by-product coke oven battery subject to emission limitations under 40 CFR 63.302(a)(2) must comply with the standards for coke oven batteries under 40 CFR 63, Subpart L . [CAA : 40 CFR 63.300(a)(2) and 63.302(a)(2)] (58 FR 57899 , 58 FR 57911 , 58 FR 57913 ; 27 OCT 93)
1-Jan-03	CAA	Unless otherwise exempted, the production and consumption of HCFC-141b are banned. [CAA : 40 CFR 82.4(n) , (o) , and (t)] (58 FR 65025 -26 , 58 FR 65065 ; 12/10/93 as amended by 60 FR 24990 ; 05/10/95, 63 FR 41642 ; 08/04/98, and 64 FR 39040 ; 21 JUL 99)
1-Jan-03	CAA	Each owner or operator of a coke oven battery that chose before 01 JAN 98, to comply with the emission limitations promulgated pursuant to CAA Section 112(f) in lieu of the limitations promulgated pursuant to CAA Section 112(i)(8)(B) - (C) must comply with the CAA Section 112(f) limitations. [CAA : Section 112(i)(8)(D)]
15-Jan-03	CAA	Each owner or operator of a source subject to surface coating emission limitations described under 40 CFR 63, Subpart II , for shipbuilding and ship repair operations must make prescribed volume determinations for affected coatings. [CAA : 40 CFR 63.785(c)(2)(iii) -(vi) and 63.785(c)(3)(iv) -(vi)] (60 FR 64339 -40 ; 15 DEC 95)
20-Jan-03	CAA	Unless otherwise authorized, each owner or operator of an existing facility producing amino/phenolic resins that is subject to the national emission standards described under 40 CFR 63, Subpart OOO , must comply with those standards and related testing, monitoring, reporting, and record keeping requirements. [CAA : 40 CFR 63.1401(b) , 63.1401(d) , 63.1413 , 63.1414 , 63.1415 , 63.1416 , and 63.1417] (65 FR 3290 ; 20 JAN 00)
21-Jan-03	CAA	Each owner or operator of an existing source subject to organic hazardous air pollutant emission controls under 40 CFR 63, Subpart H , for equipment leaks from Group V chemical process units must submit to the EPA the semiannual report described under 40 CFR 63.182(d)(2) -(4) . [CAA : 40 CFR 63.182(d)(1)] (59 FR 19586 -87 ; 04/22/94 as amended by 60 FR 18030 ; 10 APR 95)

22-Jan-03	CAA	Each owner or operator of an existing source subject to organic hazardous air pollutant emission controls under 40 CFR 63, Subpart H , for equipment leaks from Group I chemical process units must submit to the EPA the semiannual report described under 40 CFR 63.182(d)(2) -(4) . [CAA : 40 CFR 63.182(d)(1)] (59 FR 19586 -87 ; 04/22/94 as amended by 60 FR 18030 ; 10 APR 95)
23-Jan-03	CAA	Each owner or operator of an existing source subject to organic hazardous air pollutant emission controls under 40 CFR 63 , for equipment leaks from Group III chemical process units must submit to the EPA the semiannual report described under 40 CFR 63.182(d)(2) -(4) . [CAA : 40 CFR 63.182(d)(1)] (59 FR 19586 -87 ; 04/22/94 as amended by 60 FR 18030 ; 10 APR 95)
30-Jan-03	CAA	Each owner or operator of a fossil-fuel fired steam generating unit subject to new source performance standards for electric utility steam generating units and for industrial-commercial- institutional steam generating units under 40 CFR 60.40a, Subpart Da , and 40 CFR 60.40b, Subpart Db , must submit quarterly reports for sulfur dioxide, nitrogen dioxide, and opacity emissions by this date. Such reports may be submitted electronically in lieu of written compliance reports. [CAA : 40 CFR 60.49a(i) -(j) and 60.49b(v)] (63 FR 49455 ; 16 SEP 98)
30-Jan-03	CAA	Each owner or operator of a source subject to the national emission standards for hazardous air pollutants from ferromanganese and silicomanganese facilities under 40 CFR 63, Subpart XXX , must submit a semiannual report describing actions taken that are consistent with procedures specified in the startup, shutdown, or malfunction plan for the affected source. For actions inconsistent with such plan, the owner or operator must meet the requirements described under 40 CFR 63.10(d)(5)(ii) . [CAA : 40 CFR 63.1659(a)(4)] (64 FR 27464 ; 20 MAY 99)
30-Jan-03	CAA	The designated representative of a unit subject to the continuous emission monitoring provisions of the acid rain program, as detailed under 40 CFR 75 , must submit electronically to EPA the data and information described under 40 CFR 75.64(a) -(c) for the fourth quarter of 2002. The reports must be sent via modem and EPA-approved software unless otherwise approved by the administrator. [CAA : 40 CFR 75.64(a)] (58 FR 3726 ; 01 NOV 93 as amended by 60 FR 26540 , 26569; 05/17/95 and 64 FR 28622 ; 26 MAY 99)
30-Jan-03	CAA	Each refrigerant reclaimer subject to the requirements of 40 CFR 82 , Subpart F, must submit to the EPA the information described under 40 CFR 82.166(h) . [CAA : 40 CFR 82.166(h)] (58 FR 28721 ; 05/14/93)
1-Feb-03	CAA	Each owner or operator of a batch vapor or in-line solvent cleaning machine complying with hazardous air pollutant emission standards under 40 CFR 63.463 or 40 CFR 63.464 must submit an annual report including the information detailed under 40 CFR 63.468(f)(1) -(3) or 40 CFR 63.468(g)(1) -(4) , respectively. [CAA : 40 CFR 63.468(f) -(g)] (59 FR 61815 ; 12/02/94)
1-Feb-03	CAA	The appointed account representative of any NOx budget source subject to the NOx budget emission limitations set forth under 40 CFR 97 that wishes to receive early reduction credits for the unit, as described under 40 CFR 97.43 , must submit a request to the applicable authority by this date. [CAA : 40 CFR 97.43(a)(4)(ii) and 97.43(b)(2)] (65 FR 2739 ; 01/18/00)
13-Feb-03	CAA	Except as otherwise specified, each owner or operator of an acetal resins production, acrylic and modacrylic fiber production, hydrogen fluoride production, or polycarbonate production facility subject to generic maximum achievable control technology standards under 40 CFR 63, Subpart YY , for which construction or reconstruction commenced after Oct. 14, 1998, and that meets requirements set forth under 40 CFR 63.1102(a)(1)(iii) must submit a notification of compliance status by this date or 60 days after completion of the initial performance test or initial compliance assessment, whichever is earlier. [CAA : 40 CFR 63.1110(d)(2)] (64 FR 34943 ; 06/29/99)
14-Feb-03	CAA	Each owner or operator of an existing source subject to surface coating emission limitations described under 40 CFR 63, Subpart II , for shipbuilding and ship repair operations must file a semiannual report with EPA. [CAA : 40 CFR 63.788(c)] (60 FR 64343 ; 12/15/95)
14-Feb-03	CAA	Each producer, importer, or exporter of a Class II controlled substance must submit a report to EPA providing information on the production, imports, and exports of such chemicals during the previous quarter. [CAA : 40 CFR 82.13(n)] (57 FR 33785 , 57 FR 33797 ; 07/30/92 as amended by 58 FR 65074 ; 12/10/93 and 60 FR 25002 ; 05/10/95)
14-Feb-03	CAA	Each importer or exporter of used Class II controlled substances must report 2002 levels of such substances to EPA. [CAA : 40 CFR 82.13(o)] (58 FR 65059 , 58 FR 65074 ; 12/10/93 as amended by 60 FR 25002 ; 05/10/95)
14-Feb-03	CAA	Each person who brought a container into the United States during 2002 that had a small amount (heel) of a controlled substance remaining in the container must submit a report to EPA providing information on the final disposition of that container. [CAA : 40 CFR 82.13(s)] (60 FR 25002 ; 05/10/95)
15-Feb-03	CAA	Each owner or operator of a source subject to surface coating emission limitations described under 40 CFR 63, Subpart II , for shipbuilding and ship repair operations must make prescribed volume determinations for affected coatings. [CAA : 40 CFR 63.785(c)(2)(iii)-(vi) and 63.785(c)(3)(iv) -(vi)] (60 FR 64339 -340 ; 12/15/95)
19-Feb-03	CWA	Each owner or operator of a Class I sludge management facility, a publicly owned treatment works with a daily design flow rate of at least one million gallons, or a POTW serving at least 10,000 people must report specified information to the applicable permitting authority. [CWA : 40 CFR 503.18(a)(1) -(2) , 503.28 , 503.40(c)(4) , and 503.48] (58 FR 9339 -340 , 58 FR 9347 , 58 FR 9357 , 58 FR 9395 , 58 FR 9398 , 58 FR 9404 ; 02/19/93, 59 FR 9099 ; 02/25/94, and 64 FR 42570 ; 08/04/99)
28-Feb-03	CAA	Each independent laboratory designated by a refiner or importer of reformulated gasoline to carry out a program for the collection and analysis of gasoline samples pursuant to 40 CFR 80.65(f) must submit a report to EPA containing the information described under 40 CFR 80.65(f)(3)(iii)(B) . [CAA : 40 CFR 80.65(f)(3)(iii)(A)] (59 FR 7842 ; 02/16/94)
28-Feb-03	CAA	Each refiner of reformulated gasoline that is exempt from specified collection and analysis requirements under 40 CFR 80.65(e)(1) and 40 CFR 80.65(f)(1) -(3) must ensure an independent auditor submits a report to EPA containing the information described under 40 CFR 80.65(f)(4)(ii)(A) . [CAA : 40 CFR 80.65(f)(4)(ii)(C)] (59 FR 7843 ; 02/16/94 as amended by 59 FR 36963 ; 07/20/94)
28-Feb-03	CAA	Each refiner, importer, or oxygenate blender of reformulated gasoline or reformulated gasoline blend stock must submit a report to EPA containing the information described under 40 CFR 80.75(a) , 40 CFR 80.75(d) -(i) , 40 CFR 80.75(l) , and 40 CFR 80.75(n) and 40 CFR 80.83(g)(1) -(2) . [CAA : 40 CFR 80.75(a)(1)(iv) , 80.75(d)(1) -(2) , 80.75(e)(1) -(2) , 80.75(f)(1) -(2) , 80.75(g)(1) -80.75(g)(3) , 80.75(h)(1) -80.75(h)(2) , 80.75(i) , 80.75(l) , and 80.83(g)(1) -(2)] (59 FR 7757 , 59 FR 7854 -55 ; 02/16/94 as amended by 59 FR 36965 ; 07/20/94 and 59 FR 39291 ; 08/02/94)
28-Feb-03	CAA	Each refiner or importer of conventional gasoline must submit a report to EPA containing the information described under 40 CFR 80.105(a)(1) -(6) , 40 CFR 80.105(b) and 40 CFR 80.105(d) . [CAA : 40 CFR 80.105(d)(2)] (59 FR 7875 ; 02/16/94)

1-Mar-03	CAA	Except as otherwise specified, each manufacturer or importer of a recycled coating subject to the national volatile organic standards for architectural coatings under 40 CFR 59, Subpart D , that chooses to determine the adjusted VOC content according to the provisions of 40 CFR 59.406(a)(3) must submit an annual report, as specified under 40 CFR 59.408(c)(1) -(5) for each such coating. The report must be submitted by this date for the previous calendar year. [CAA : 40 CFR 59.408(c)] (63 FR 48884 ; 09/11/98)
1-Mar-03	CAA	Except as otherwise specified, each manufacturer or importer of a coating subject to the national volatile organic standards for architectural coatings under 40 CFR 59, Subpart D , that uses the exceedance fee provisions of 40 CFR 59.403 must submit an annual report, as specified under 40 CFR 59.408(d)(1) -(7) for each such coating. The report must be submitted by this date for the previous calendar year. [CAA : 40 CFR 59.408(d)] (63 FR 48884 ; 09/11/98 as amended by 64 FR 35001 ; 06/30/99)
1-Mar-03	CAA	Except as otherwise specified, each manufacturer or importer of a coating subject to the national volatile organic standards for architectural coatings under 40 CFR 59, Subpart D , for which a tonnage exemption is claimed under 40 CFR 59.404 must submit an annual report, as specified under 40 CFR 59.408(e) for each such coating. The report must be submitted by this date for the previous calendar year. [CAA : 40 CFR 59.408(e)] (63 FR 48884 ; 09/11/98 as amended by 63 FR 55175 ; 10/14/98, 64 FR 32013 ; 06/15/99, and 64 FR 35001 ; 06/30/99)
1-Mar-03	CAA	Each owner or operator of an existing source subject to organic hazardous air pollutant emission controls under 40 CFR 63, Subpart G , for synthetic organic chemical manufacturing industry production processes must submit to EPA a quarterly report on emission points included in an emissions average, as described under 40 CFR 63.152(c)(5)(ii)(A) -(F) . [CAA : 40 CFR 63.152(c)(5)(i)] (59 FR 19409 , 59 FR 19539 ; 04/22/94 as amended by 64 FR 20191 ; 04/26/99)
1-Mar-03	CAA	Each owner or operator of an existing primer or topcoat application operation or repainting operation that is subject to emission standards for aerospace manufacturing and rework facilities under 40 CFR 63, Subpart GG , and who constructs or reconstructs a spray booth or hangar that does not have the potential to emit 10 tons per year of an individual inorganic hazardous air pollutant or 25 tons per year or more of all inorganic HAP combined must notify EPA of any such construction or reconstruction that occurred during 2002. Notification must include information specified under 40 CFR 63.5(b)(4) for inorganic HAPs. [CAA : 40 CFR 63.743(a)(10)] (63 FR 15018 ; 03/27/98 as amended by 63 FR 46532 ; 09/01/98)
1-Mar-03	CAA	Except as otherwise specified, each owner or operator of an affected source subject to the national emission standards for hazardous air pollutants from polyether polyols production operations detailed under 40 CFR 63, Subpart PPP , must submit quarterly reports for particular emission points and process sections as specified under 40 CFR 63.1439(e)(6)(viii) . The reports are required for a period of one year under the conditions set forth under 40 CFR 63.1439(e)(6)(viii)(A) -(D) . [CAA : 40 CFR 63.1439(e)(6)(viii)] (64 FR 29476 ; 06/01/99)
1-Mar-03	CAA	The authorized account representative of a unit participating in the sulfur dioxide emission allowance tracking system described under 40 CFR 73, Subpart C , must ensure the proper number of allowances required for compliance during the previous calendar year have been submitted for recordation or transferred and recorded correctly in the compliance sub account. Sources with units that have insufficient allowances in their compliance sub accounts may deduct allowances from other units under conditions described under 40 CFR 73.35(b)(3) . [CAA : 40 CFR 72.2 , 72.40 , 73.35(a)(2) , 73.35(b)(3) , and 77.6(a) -(f)] (58 FR 3759 -60 ; 01/11/93 as amended by 60 FR 17131 ; 04/04/95, 62 FR 55487 ; 10/24/97, 63 FR 68404 ; 12/11/98, and 64 FR 25842 ; 05/13/99)
1-Mar-03	CAA	The designated representative of a unit subject to acid rain emission limitations during the previous calendar year must submit to EPA a report containing the information described under 40 CFR 72.90(b)(1) -(6) and certify the applicability of the operational parameters described under 40 CFR 72.90(c)(1) -(5) . [CAA : 40 CFR 72.90(a) -(c) and 72.92(a)] (58 FR 3681 , 58 FR 3684 ; 01/11/93 as amended by 60 FR 18470 ; 04/11/95)
1-Mar-03	CAA	The designated representatives of Phase I units in a dispatch system that has any unit governed by an approved reduced utilization plan relying on sulfur-free generation or an adjusted utilization greater than zero for the previous calendar year must submit a joint report to EPA containing the information described under 40 CFR 72.92(b)(2)(i) or 40 CFR 72.92(b)(2)(ii) , respectively. [CAA : 40 CFR 72.92(b)(2)(i) -(ii)] (58 FR 3684 ; 01/11/93 as amended by 60 FR 18470 ; 04/11/95)
1-Mar-03	CAA	The designated representative of a unit participating in the sulfur dioxide opt-in program described under 40 CFR 74 during the previous calendar year must submit to EPA a report containing the information described under 40 CFR 74.43(b) -(c) , 40 CFR 74.44(c)(1) , and 40 CFR 74.47(d)(1)(ii) in lieu of the annual compliance certification report required under 40 CFR 72.90(a) -(c) . [CAA : 40 CFR 74.43(a) , 74.44(c)(1) , and 74.47(d)(1)(ii)] (60 FR 17123 , 60 FR 17125 , 60 FR 17129 -30 ; 04/04/95)
1-Mar-03	CAA	The designated representative of a unit that had excess emissions of sulfur dioxide, as described under 40 CFR 77.3(b) , during the previous calendar year must submit to EPA a proposed plan to offset those emissions. [CAA : 40 CFR 77.3(b) -(d)] (58 FR 3757 ; 01/11/93 as amended by 62 FR 55487 ; 10/24/97)
1-Mar-03	RCRA	Any person who exports hazardous waste must submit an annual report summarizing the type, quantity, frequency, and ultimate destination of all waste exported during the previous year. [RCRA : 40 CFR 262.56(a)]
1-Mar-03	RCRA	Primary exporters of waste movements subject to 40 CFR 262, Subpart H , must file annual reports outlining hazardous waste export information for the previous calendar year or exception reports if tracking documents are not received within 45 days from the date shipment was accepted by the initial transporter or written confirmation is not received within 90 days from the date the waste was accepted by the initial transporter. [RCRA : 40 CFR 262.87(a) -(b)] (61 FR 16314 ; 04/12/96)
1-Mar-03	RCRA	Each facility owner or operator must submit to the appropriate EPA regional administrator an annual report detailing concentration values based on parameters listed in 40 CFR 265.92(b)(3) for each ground water monitoring well and the results of the evaluation of ground water surface elevations under 40 CFR 265.93(f) . [RCRA : 40 CFR 265.94(a)(2)(ii) -(iii)]
1-Mar-03	RCRA	Each facility owner or operator that monitors ground water pursuant to 40 CFR 265.93(d)(4) must submit to the appropriate EPA regional administrator an annual report containing the results of the ground water quality assessment program. [RCRA : 40 CFR 265.94(b)(2)]
1-Mar-03	EPCRA	Each facility owner or operator subject to 40 CFR 370, Subpart B , must submit to the designated parties an inventory form containing Tier I information on the hazardous chemicals described in 40 CFR 370.20(b)(2) or Tier II information specified in 40 CFR 370.25(b) . [EPCRA : 40 CFR 370.20(b)(2) and 370.25(a)] (64 FR 7032 ; 02/11/99)
10-Mar-03	CWA	Unless otherwise exempted, each operator of a facility whose storm water discharges meet the criteria set forth under 40 CFR 122.26(b)(15) or 40 CFR 122.26(b)(16) must submit a discharge permit application to the appropriate permitting authority. [CWA : 40 CFR 122.26(e)(1)(ii) , 122.26(e)(8) , 122.26(e)(9)(i) , 122.33(b)(2)(ii) , and 122.33(c)(1)] (64 FR 68840 ; 12/08/99)

14-Mar-03	CAA	Each owner or operator of an existing hospital/medical/infectious waste incinerator that is subject to federal plan requirements described under 40 CFR 62, Subpart HHH , and that chooses to meet the incremental compliance schedule set forth under 40 CFR 62.14470(b) must conduct the initial performance test described under 40 CFR 62.14450(a) or 62.14451(a) , whichever is applicable. [CAA : 40 CFR 62.14470(b)(3)] (65 FR 49889 ; 08/15/00)
15-Mar-03	CAA	Submit monitoring report on mercury cell chlor-alkali plant activities that indicate the time and date on which the hourly value of each parameter monitored according to 40 CFR 61.55(b)(4)(i) -(ii) fell outside the value of that same parameter determined under 40 CFR 61.55(b)(3) , as well as other information specified under 40 CFR 61.55(b)(7) . [CAA : 40 CFR 61.55(b)(7) -(8)]
15-Mar-03	CAA	Submit report on vinyl chloride emission source activities specified under 40 CFR 61.70 . [CAA : 40 CFR 61.70(a)(1) -(2)]
15-Mar-03	CAA	Test emissions of polonium-210 from an elemental phosphorus plant described in 40 CFR 61.120 in accordance with the procedures of 40 CFR 61.123(c) -(f) . [CAA : 40 CFR 61.123(a)]
15-Mar-03	CAA	Each owner or operator of a source subject to surface coating emission limitations described under 40 CFR 63, Subpart II , for shipbuilding and ship repair operations must make prescribed volume determinations for affected coatings. [CAA : 40 CFR 63.785(c)(2)(iii) -(vi) and 63.785(c)(3)(iv) -(vi)] (60 FR 64339 -40 ; 12/15/95)
15-Mar-03	RCRA	Each facility owner or operator that stores samples of hazardous waste undergoing treatability studies must prepare and submit to the regional administrator or state director estimates of the number of studies and the amount of waste expected to be used in such studies during the current year, as well as the information detailed in 40 CFR 261.4(f)(9) for the previous year. [RCRA : 40 CFR 261.4(f)(9)]
16-Mar-03	CAA	Each owner or operator of a new hospital/medical/infectious waste incinerator for which construction commenced after June 20, 1996, or an existing hospital/medical/infectious waste incinerator for which modification commenced after March 16, 1998, must conduct annual performance testing by this date or by the date one year after the last annual performance test. [CAA : 40 CFR 60.56c] (62 FR 48387 ; 09/15/97)
20-Mar-03	CAA	Each owner or operator of an existing facility subject to national emission standards for hazardous air pollutants from pharmaceuticals production operations, as set forth under 40 CFR 63, Subpart GGG , that complied with those standards on Oct. 21, 2002, must submit to the applicable regulatory authority the notification of compliance status report described under 40 CFR 63.1260(f)(1) -(6) . [CAA : 40 CFR 63.1260(f)] (63 FR 50378 ; 09/21/98 as amended by 65 FR 52596 ; 08/29/00)
24-Mar-03	CAA	Each owner or operator of an existing secondary aluminum production facility subject to the national emission standards described under 40 CFR 63, Subpart RRR , must comply with those standards and related operating, monitoring, testing, notification, reporting, and record keeping requirements on this date or upon initial start-up, whichever is later. [CAA : 40 CFR 63.1501(a) , 63.1505 , 63.1506 , 63.1510 , 63.1511 , 63.1512 , 63.1515 , 63.1516 , and 63.1517] (65 FR 15710 ; 03/23/00)
30-Mar-03	CAA	Except as otherwise specified, each owner or operator of a source subject to revised national emission standards for hazardous air pollutants from hazardous waste combustors under 40 CFR 63, Subpart EEE , must commence the initial comprehensive performance test on or before this date. Subsequent periodic performance tests must be conducted, as specified under 40 CFR 63.1207(d) . A notification of compliance must be submitted within 90 days after the date of completion of the performance test, unless an extension is granted. [CAA : 40 CFR 63.1207(c)(1) , 63.1207(d) , and 63.1207(j)] (64 FR 53050 , 53053; 09/30/99)
31-Mar-03	CAA	Report to EPA the results of the calculations made pursuant to 40 CFR 61.23 , related input parameters, and the information specified in 40 CFR 61.24(a)(1) -(8) regarding active underground uranium mines. [CAA : 40 CFR 61.24(a)]
31-Mar-03	CAA	Report to EPA the compliance calculations required in 40 CFR 61.253 , related input parameters, and the information listed in 40 CFR 61.254(a)(1) -(4) regarding an operating uranium mill tailings impoundment. [CAA : 40 CFR 61.254(a)]
31-Mar-03	CAA	The EPA administrator must hold the 2003 public auctions of sulfur dioxide emission allowances pursuant to the requirements specified under 40 CFR 73.70 . [CAA : 40 CFR 73.70(b)] (56 FR 65603 ; 12/17/91 as amended by 63 FR 5734 ; 02/04/98 and 63 FR 51766 ; 09/28/98)
31-Mar-03	CAA	A locomotive or locomotive engine manufacturer or remanufacturer participating in the averaging, banking, and trading programs for air emissions under 40 CFR 92 must submit quarterly reports of their holdings or receipts when credits are gained or lost. [CAA : 40 CFR 92.309(f)] (63 FR 19057 ; 04/16/98)

PERSONAL DEVELOPMENT

CONFERENCES

Toxics Release Inventory Data Delivery System Workshops TRI-DDS

TRI-DDS is sponsoring workshops for Command and installation personnel responsible for range operations or EPCRA training and reporting at facilities engaged in munitions activities on ranges (including small arms ranges) and demilitarization. There is no fee to attend the TRI-DDS Workshops, which are sponsored by the DoD EPCRA TRI Working Group. For further information or to register, contact your Service Representative; USN: Tammy Schirf, (703) 602-4497, schirf.tammy@hq.navy.mil.

Dates and Locations of training sessions:

March 27-28: Naval School CECOS; Port Hueneme, California

April 2-3: MCB Quantico; Quantico, Virginia

April 3-4: Brooks AFB; San Antonio, Texas

April 10-11: Naval Station; Norfolk, Virginia

29th Environmental and Energy Symposium & Exhibition, 7-10 APR 03, Richmond, VA

The symposium will provide a national forum for the exchange of technical information, government policy, regulations, programs and law; and new ideas on environmental and energy issues and areas of concern. For hotel, abstract topic list and other conference information click on the following link:

<http://register.ndia.org/interview/register.ndia?~Brochure~3440> or contact Derek Jenks at djenks@ndia.org. [Table of Contents](#)

Industrial Wastes Technical and Regulatory Conference 13-16 APR 03, San Antonio, Texas

This conference encompasses issues related to the treatment, disposal, remediation, monitoring/sampling, and minimization of industrial wastes with a focus on technical applications, regulatory issues, and applied research. Industry representatives, consultants, regulatory officials, researchers and academia will participate in this targeted conference featuring workshops, professional development courses, technical sessions, awards, and industrial facility tours.

<http://www.wef.org/conferences/> [Table of Contents](#)

TRAINING

CECOS Courses

CECOS offers 56 different courses with 222 individual course offerings. Provided below are the environmental courses available for the next three months. There is no tuition charge for Department of Defense military personnel or civilian employees for resident training. For further information on the courses and/or to register, visit the CECOS training website at: <https://www.cecocos.navy.mil/schedule.asp>. [Table of Contents](#)

START DATE	END DATE	COURSE TITLE	LOCATION
07 JAN 03	09 JAN 03	Environmental Negotiation Workshop	Honolulu, HI
07 JAN 03	16 JAN 03	Advanced Environmental Management	Port Hueneme, CA
14 JAN 03	16 JAN 03	Health & Environmental Risk Communication Workshop	Jacksonville, FL
14 JAN 03	16 JAN 03	National Environmental Policy Act (NEPA) Application	Jacksonville, FL
14 JAN 03	16 JAN 03	Emergency Planning and Community Right-To-Know (EPCRA) and Toxic Release Inventory (TRI) Reporting	Jacksonville, FL

14 JAN 03	17 JAN 03	Environmental Protection (incorporates Final Governing Standards for Overseas Offerings)	Norfolk, VA
14 JAN 03	16 JAN 03	Advanced Environmental Restoration	Washington DC
27 JAN 03	27 JAN 03	RCRA Hazardous Waste Review	San Diego, CA
28 JAN 03	30 JAN 03	Historic Preservation Law and Section 106 Compliance	Monterey, CA
28 JAN 03	30 JAN 03	Emergency Planning and Community Right-To-Know (EPCRA) and Toxic Release Inventory (TRI) Reporting	Philadelphia, PA
28 JAN 03	30 JAN 03	Introduction to Hazardous Waste Generation and Handling	San Diego, CA
31 JAN 03	31 JAN 03	RCRA Hazardous Waste Review	Lemoore, CA
03 FEB 03	05 FEB 03	Introduction to Hazardous Waste Generation and Handling	Lemoore, CA
10 FEB 03	10 FEB 03	RCRA Hazardous Waste Review	Gulfport, MS
10 FEB 03	14 FEB 03	Pollution Prevention Program Operations and Management	Satellite Course
11 FEB 03	13 FEB 03	Introduction to Hazardous Waste Generation and Handling	Gulfport, MS
11 FEB 03	13 FEB 03	Emergency Planning and Community Right-To-Know (EPCRA) and Toxic Release Inventory (TRI) Reporting	San Diego, CA
25 FEB 03	27 FEB 03	Emergency Planning and Community Right-To-Know (EPCRA) and Toxic Release Inventory (TRI) Reporting	Norfolk, VA
25 FEB 03	26 FEB 03	Environmental Background Analysis	San Diego, CA
25 FEB 03	27 FEB 03	Health & Environmental Risk Communication Workshop	Washington DC
03 MAR 03	07 MAR 03	Environmental Quality Sampling	San Antonio, TX
03 MAR 03	03 MAR 03	RCRA Hazardous Waste Review	San Diego, CA
03 MAR 03	05 MAR 03	Environmental Compliance Assessment	Satellite Course
03 MAR 03	07 MAR 03	HAZWOPER for Uncontrolled Hazardous Waste Site Workers (e)	Washington DC
04 MAR 03	06 MAR 03	Introduction to Hazardous Waste Generation and Handling	San Diego, CA
10 MAR 03	10 MAR 03	HAZWOPER for Uncontrolled Hazardous Waste Site Workers- Refresher (e)	Washington DC
11 MAR 03	14 MAR 03	Conducting Environmental Management System Reviews	Philadelphia, PA
11 MAR 03	11 MAR 03	HAZWOPER for Uncontrolled Hazardous Waste Site Workers- Refresher (e)	Washington DC
12 MAR 03	13 MAR 03	Remedy Selection and Closure	Norfolk, VA
18 MAR 03	20 MAR 03	Introduction to Cultural Resource Management Laws and Regulations	Columbia, SC
18 MAR 03	20 MAR 03	Conducting Environmental Management System Reviews	Norfolk, VA
18 MAR 03	20 MAR 03	Environmental Negotiation Workshop	Silverdale, WA
24 MAR 03	25 MAR 03	Environmental Geographic Information Systems	Honolulu, HI
26 MAR 03	27 MAR 03	Geostatistics	Honolulu, HI

Clean Water Act Training Available^{xi}

EPA's Office of Water has developed a self study training module on the Clean Water Act. This training provides a good overview of the Clean Water Act requirements with excellent overheads describing the different sections of the Act. The training consists of 66 overheads that can be accessed on the Internet at: <http://www.epa.gov/watertrain/cwa/index.htm>. [Table of Contents](#)

MEET THE REC

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- i Reprinted with permission, CNRMA Flagship, 14 NOV 02
ii <http://www.epa.gov/fedrgstr/EPA-GENERAL/2002/November/Day-20/g29471.htm>
iii Northern Region Review, November 2002, Volume VII, No. 11
iv http://www.epa.gov/region03/ebytes/ebytes11_08_02.html
v http://www.epa.gov/region03/ebytes/ebytes11_08_02.html
vi http://www.epa.gov/region03/ebytes/ebytes11_08_02.html
vii <http://www.chinfo.navy.mil/navpalib/news/envnews/env02/nen02008.txt>
viii <http://www.dep.state.pa.us/newsreleases/default.asp?ID=2087>
ix http://www.epa.gov/region03/ebytes/ebytes11_01_02.html
x http://www.epa.gov/region03/ebytes/ebytes11_08_02.html
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